

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:21-cv-00260-MOC-WCM**

SCHUMACHER HOMES OF)	
NORTH CAROLINA, INC. and)	
RICHARD SMOTHERS,)	
)
Plaintiffs,)	ORDER
)
v.)	
)
KEITH BUCHANAN and)	
DIANNA BUCHANAN,)	
)
Defendants.)	
)

This matter is before the Court on Defendants' Request for Informal Conference Regarding Discovery Issues (Doc. 53) and the parties' subsequent Joint Memorandum (Doc. 55).

The Joint Memorandum was filed in response to the undersigned's Order of September 20, 2023 which directed the parties to file a joint memorandum of no more than three pages (exclusive of exhibits) that set forth the specific discovery disputes and each party's position regarding those disputes. It also required the parties to state whether they consented for the Court to issue rulings or other orders with regard to the discovery disputes during an informal video conference and without further briefing or motions practice.

Doc. 54.

The Joint Memorandum does not comply with that Order. First, the main document does not provide a list of the specific discovery disputes and each party's position regarding each one them but rather refers to an attached email thread with various back-and-forth communications between counsel.

Second, the Joint Memorandum is silent as to whether the parties consent for the Court to issue rulings on the pending discovery disputes during an informal video conference and without further briefing or motions practice.

Accordingly, Defendants' Request for Informal Conference Regarding Discovery Issues (Doc. 53) is **DENIED WITHOUT PREJUDICE**. The parties are advised that they are not authorized to file substantive discovery motions regarding their current discovery disputes. However, should they be unable to resolve those disputes after further discussion between counsel, they are free to renew their request for an informal discovery conference with the undersigned, on the condition that, when doing so, they provide the information previously described by the Court's September 20, 2023 Order.

It is so ordered.

Signed: September 26, 2023



W. Carleton Metcalf
United States Magistrate Judge

